

**BOARD OF SELECTMEN  
MEETING MINUTES  
March 10, 2003**

**PRESENT:** BRIAN MCDONALD, CHAIRMAN; DOUGLAS R. COOK, Co CHAIRMAN, JONATHAN M. WALLACE, SELECTMAN; THOMAS C. REYNOLDS JR., SELECTMAN; DAVID BOUGHER, SELECTMAN

**GUEST:** Matt Pelletier, Ginger Esenwine, Forrest Esenwine, Frank Campana, Charles Bolten, Walter Bohlin, Elayne Pierson, Merry Rice, Maureen Billodeau, Donna Matheson, Myles Rigney, Kathy Cook, Pat Myers, Andy Fulton, Paul Morin, Michael Mann, Raymond Stankunas, Sherry Butt Dunham, Rob Starace, Donna Meuse.

The Selectmen's Meeting was held at the Town Office Building. Chairman McDonald commenced the meeting at 6:30 p.m.

Chairman McDonald asked that everyone stand for the pledge of allegiance.

**1. SELECTMEN'S ISSUES**

Chairman McDonald took moment to recognize Selectman Wallace. Selectman Wallace has decided not to run for reelection, and board expressed their appreciation for all the hard work Selectman Wallace has put forth on behalf of the Board of Selectmen. Selectman Wallace was presented with tokens of the board's esteem. Chairman McDonald stated that he had learned a great deal from Selectman Wallace in the time he was on the board. Selectman Cook stated he would like to remind everyone that not only did Selectman Wallace serve three years as Selectman, but also nine years as a school board member. Stated it was a pleasure working with Selectman Wallace and he believes Selectman Wallace has the courage to take on issues that no one else does. Selectman Cook thanked Selectman Wallace for work in the town which includes the skateboard park, town web site, and the technology

for the town offices. Chief Rigney presented Selectman Wallace with a plaque from the Police Department in thanks for all his support. Sherry Butt Dunham presented Selectman Wallace with a book. Selectman Wallace expressed his appreciation for the acknowledgements. Stated that although he is aware he has ruffled some feathers while in office there are no hard feelings. Stated he really believes in what he does, and has tried to do the job to the best of his ability.

## **2. PUBLIC PARTICIPATION**

Evelyn Connor – As Town Clerk Ms. Conner wanted to let the public know that she can only accept absentee ballots received in the mail at this point. Requested the public vote for the town budget. Also stated that dog licenses are now available.

Rob Starace – Mr. Starace stated he would like to address the board concerning an issue he has with 141 Martin Road. Chairman McDonald informed Mr. Starace that public participation is kept brief and he believed Mr. Starace' issue should be put on an agenda for a future meeting. Mr. Starace stated he would keep it brief. Stated that he obtained town lawyer's opinion on his issue and believed it is just a matter of an agreement that the town is not responsible. Selectman Cook disagreed, he stated that the matter needs to be addressed with the Zoning Board. Chairman McDonald agreed with Selectman Cook and stated that the problem lies with access to Route 114 and does need to go through Zoning Board. Mr. Starace stated that he has everything that the building permit application states is needed and does not feel he should have to go to a Planning Board or Zoning Board at this point. Selectman Cook stated that it is unfortunate that Mr. Starace has to back track, but they need to correct the steps that have not been taken. Stated that one of the steps is obtaining a variance due to the fact that Mr. Starace is choosing to access his lot through a class six road rather than a class five which is where his frontage is located. Chairman McDonald stated that they can not get into a debate regarding this issue because it needs to be brought before Zoning Board and also the board is not prepared to discuss this issue. Mr. Starace stated that the deadline to get on the agenda for the Zoning Board's next meeting was that day, requested the Board of Selectmen grant

him one more day. Chairman McDonald informed Mr. Starace that the Board of Selectmen have no power over the Zoning Board. Mr. Starace then directed the request to Mr. Forrest Esenwine. Mr. Esenwine directed Mr. Starace to contact the office tomorrow, and that he will make sure he gets on the agenda.

**3. TUNOVER OF THE POLICE COMMISSION DUTIES TO THE BOARD OF SELECTMEN – Forrest Esenwine**

Commissioner Esenwine read statement turning over Police Commission duties to the Board of Selectmen. Statement entered into the record. Chairman McDonald responded by thanking Commissioner Esenwine for all his hard work and stated that he is confident that the board will support the Police Department. Mr. Esenwine went on to state that none of the rumors spread regarding the Police Department have been proven to be true. Hopes that people understand that they have the formation of a good department. Selectman Wallace thanked Mr. Forrest Esenwine, Mr. Frank Ferrante, and Ms. Brenda Hopper for their work on the Police Commission. Stated that they stepped up to the plate at a time when it was greatly needed and knows it has not been easy. Also stated that he believes that the reason the town can not find qualified officers is due to criticism, and not because of the salary. Feels the board will continue their support for the Police Department. Selectman Cook also thanked the Police Commission for their commitment and stated he is in full agreement of the statement made by Commissioner Esenwine. Selectman Bougher requested that the statement be entered into the minutes.

**4. HIRING OF ADMINISTRATIVE COORDINATOR & CUSTODIAN**

Chairman McDonald stated that there were over sixty applications for the position of Administrative Coordinator. Informed public that the board made the decision to hire Mr. Raymond Stankunas and that the board was very impressed with Mr. Stankunas. Stated that he was very impressed with his experience and speaking ability and feels confident that he will help put the town in the right direction. Chairman McDonald then made motion to hire Mr. Raymond Stankunas for position of Administrative Coordinator for the salary of

\$36,000 per year. Seconded by Selectman Bougher. A vote was taken. Motion passed unanimously. Selectman Cook stated he would like to make an amendment to the previous motion. Stated that it is subject to background check. Seconded by Selectman Bougher. A vote was taken. Motion passed unanimously.

## **5. NONPUBLIC SESSION**

Selectman Cook made motion to enter into nonpublic session at 7:20 p.m. pursuant to RSA 91-A:3 II (a) and (c). Seconded by Chairman McDonald. A roll call vote was taken. Chairman McDonald – yes; Selectman Wallace – yes; Selectman Cook – yes; Selectman Reynolds – yes; Selectman Bougher – yes. Motion passed unanimously. Discussion involving scheduling regarding Administrative Coordinator position.

Selectman Bougher made motion to come out of nonpublic session at 7:30 p.m. pursuant to RSA 91-A:3 III. Seconded by Selectman Reynolds. A roll call vote was taken. Chairman McDonald – yes; Selectman Wallace – yes; Selectman Cook – yes; Selectman Reynolds – yes; Selectman Bougher – yes. Motion passed unanimously.

## **6. CALL-IN SHOW**

The Board of Selectmen took this opportunity to answer questions from the public regarding Articles that are to appear on following day's election.

First question requested a brief summary of Articles 2-15. Board requested Mr. Paul Morin come up and provide brief explanation. Mr. Paul Morin went through Articles 2-15.

Next question was in reference to Articles 22 and 23. Selectman Cook stated he felt both a town planner and updating of the master plan is very important, and if he had to choose it would be updating of the master plan. Selectman Wallace stated he was in agreement.

Next question involved Article 28 and questioned what the plan was for the old school. Selectman Bougher stated that it is all in the planning stages and they are currently concentrating on weatherproofing the

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building then looking at the possibility of turning it into a museum. Chairman McDonald wanted to state the fact that this Article concerns all town buildings. Selectman Wallace stated that the Town Hall needs new doors.

Next question was in regards to Article 33 and what emergency equipment is needed. Selectman Cook stated flashlights, portable generators, trauma kits, radios, and much more. Selectman Reynolds stated that government funding is available in this area if it is shown that town has made an effort.

Next question concerned Article 23 and asked if there are organizations that specialize in updating master plan or people within the town with the qualifications to provide this service. Chairman McDonald stated there are organizations that specialize in this type of work. Selectman Reynolds stated that if public is looking for a growth control ordinance, it is essential to update the master plan.

While in between calls, Selectman Wallace stated a concern of a citizen regarding cable programming and the fact that she contacted the number on her cable bill to inquire as to why there were three Spanish speaking channels. The person she spoke to directed her to the Board of Selectmen. Selectman Wallace stated that the Board of Selectmen have absolutely no control over the programming.

Mr. Frank Campana then addressed the board with some questions regarding the Articles. Questioned why there was not a summary for the Zoning and Planning Articles included in the mailer. Board stated this was a mistake and will be included in future mailings. Mr. Campana then questioned as to the change in wording for the Article concerning wells and wet lands. Question was answered by stating that it was a technical change and that the term, jurisdictional wet lands is commonly referred to by the scientific field.

Next question asked board to explain Article 40. Chairman McDonald explained that rather than continue having the Police Department try to predict what amount in details that will be expended and having the Department pay the officers out of their budget until reimbursed, it should be separated and put in its own account.

Next question was in reference to the board referring to the tax increase as 1% over five years instead of the 60% from last year. Selectman Cook explained that they are just stating the facts and finds that the mailer from the Finance Committee is misleading.

Next question asked if there is someone on staff currently that can update the master plan. Mr. Paul Morin stated that two years ago with the support of the Selectmen, the Planning Board tried to update the master plan and found that it was much more entailed then they were qualified to do. Selectman Wallace stated there was a time when the town could look within itself for various tasks to be done and feels they are beyond that point now.

Next question asked board why the town spent \$5,000 in legal fees for a person that resigned and is that the same person running for Selectmen. Selectman Wallace stated yes it is the same person and the \$5,000 was spent because both parties had lawyers involved. Also stated that there are nonpublic issues that they can not speak about and only that person can release them.

Ms. Sherry Butt Dunham then asked the board when the new Administrative Coordinator will take over their duties. Board answered Wednesday, March 12, 2003 on a part-time basis. Ms. Butt Dunham then asked Mr. Stankunas what his goals will be. Mr. Stankunas stated there are a lot of challenges that face the town and hopefully he will be able to take the wishes of the public and make them happy. Hopefully give the public a better opportunity to interact with the government of the town and resolve some of their issues before they get to the point where they are problems.

Next question was in regards to the mailer stating that the Firefighters in town are volunteers, and we pay them for being on call. Selectman Wallace informed public that the phrase Volunteer Firefighters is what they are traditionally referred to as, as opposed to a full time Fire Department. Also, if people do not volunteer to fight fires, Weare would not have a Fire Department. Selectman Reynolds also stated that a lot comes out of pocket.

Pat Myers then requested she be allowed to make a statement to the public regarding Article 52. Stated that town voted for \$200,000 for conservation purposes and when that particular piece of land became unavailable, the money was returned to the General Fund. Stated that that money was for conservation purposes at the wishes of the people and feels that it should stay as conservation money. Selectman Cook disagreed, stated that the \$200,000 was for a particular piece of land and when the owner backed out the money was returned to the General Fund. Ms. Myers also stated that she was offended by the statement in the mailer that the \$100,000 for the Conservation Fund requested in the Article had no plans for use. Stated that they are constantly working towards finding premium land and that if a good opportunity presents itself they need to act immediately. Selectman Wallace disagreed with Ms. Myers and stated it is not right to give the Conservation Fund this money when the General Fund is in danger of becoming too low. Ms. Myers left visibly upset by the discussion. Mr. Paul Morin commented that the board needs to be more supportive of Ms. Myers and the Conservation Commission.

Mr. Michael Mann from the Conservation Commission addressed the board and stated he felt the board was too hostile towards Ms. Myers. Stated that he does not want any problems with the Board of Selectmen and will take any steps requested by the board to ensure that does not happen. Stated that he feels that the Conservation Commission is something that benefits everyone in town and that is why he chose to become a part of it. Also stated that if the Board of Selectmen want updates on the Conservation Commission, that he will take that responsibility in order to increase communication.

Mr. Forrest Esenwine stated that Weare is fortunate to have the commission in place unlike some surrounding communities which find themselves in a position of not having the money to preserve land for conservation purposes. Stated there are many times that a piece of property becomes available and you do need to act on it immediately.

Mr. Andy Fulton from the Conservation Commission then spoke to the board. Stated that the volunteer day that the board sponsored was great and thanked them. Stated that the board's recommendation stands, and the Conservation Commission has stated their case and

now it is up to the voters. Stated that between them he hopes that they can leave hard feeling behind and move forward to benefit the town.

Mr. Chris Bolton went before the board to state that the deal with the Conservation Commission did not happen because the funding did not come through. Stated he has listened time and time again to people stating that the owner backed out, and he wants to set the record straight that the funding did not come through and as a result, the town did not have the money to purchase the land from him. Requested the board please not say that the owner backed out again.

Chairman McDonald stated that Raymond Stankunas will start on Wednesday, March 12, 2003. Stated Mr. Stankunas' resume will be entered into the record. Selectman Cook stated that the situation at this evenings meetings was a good example of what the board is up against and he was glad Mr. Stankunas was present. Mr. Stankunas stated that hopefully one of the ways he can be of a service is to meet the members of various commissions and open the lines of communication.

## **7. OLD BUSINESS**

### Trustees of the Trust Funds -

Selectman Cook stated he wanted to bring everyone up to date on the Trustee to the Trust Funds. Stated the board has honored their right to know request. Did not understand what they were looking for. Now knows the problem was with funds involving the Bolton Field capital reserve fund. Stated that there are two capital reserve funds along these lines, recreation field development, and Chase Park/ball field improvement. Stated that Trustees of Trust Funds do not believe that the improvements to Bolton Field should have been in the Chase Park/ball field improvement fund. Stated that they have now approved the withdrawals from the capital reserve funds and general maintenance funds with the exception of the \$100,000 for Bolton Field. Stated that Trustees have now approached the DRA with the issue and Selectman Cook feels confident that there will be no problem. Selectman Bougher stated that if they had tried to deposit money into the wrong capital reserve fund, the DRA would have stopped them at



that point. Selectman Cook stated that the trustees wanted them to move the money from one capital reserve fund to another, which is impossible. Selectman Cook also stated that the whole issue is uncalled for and we all know what is going on. The Chairman of the Trustees, Ms. Joanna Gareri is the mother of Ms. Laura Petrain who is running for Selectman. Selectman Cook concluded by stating that these are the people you are electing, wasting this board's time and playing these games.

Manifests -

Chairman McDonald moved for the Board of Selectmen to sign manifest and order the treasurer to sign checks dated March 13, 2003 for a total of \$217,581.10 for Accounts Payable, \$27,770.81 for Gross Payrolls, for a grand total of \$245,351.91. Seconded by Selectman Bougher. vote was taken. Motion passed unanimously.

**8. NEW BUSINESS**

Code of Ethics -

Mr. Walter Bohlin provided board with a Code of Ethics and stated he wanted to give the board a chance to adopt this as policy. Selectman Reynolds stated that it is a good guideline. Selectman Wallace made motion to adopt code as town policy. Seconded by Selectman Reynolds. A vote was taken. Motion passed unanimously.

Virus Control Software -

Selectman Wallace stated that the town needs virus control software and suggested that they purchase the license as well as a subscription. Selectman Cook made motion to adopt the policy of business e-mail only. Seconded by Selectman Reynolds. A vote was taken. Motion passed unanimously. Selectman Bougher made an amendment of no non-town purchased and owned software be installed on town computers. Seconded by Selectman Reynolds. A all vote was taken. Motion passed unanimously.

Custodian -

Chairman McDonald made motion to hire part-time custodian, Mark Tessier for \$15.00 per hour. Seconded by Selectman Reynolds. A vote was taken. Motion passed unanimously.

## **9. NONPUBLIC SESSION**

Selectman Cook made motion to enter into nonpublic session at 11:50 p.m. pursuant to RSA 91-A:3 II (a) and (c). Seconded by Chairman McDonald. A roll call vote was taken. Chairman McDonald – yes; Selectman Wallace – yes; Selectman Cook – yes; Selectman Reynolds – yes; Selectman Bougher – yes. Motion passed unanimously.

In attendance: Chairman McDonald, Selectman Wallace, Selectman Cook, Selectman Reynolds, Selectman Bougher.

## **10. PUBLIC SESSION**

Selectman Bougher made a motion to accept the Police Personnel Policy. Seconded by Selectman Wallace. A vote was taken. All in favor.

Selectman Cook made a motion to accept the new Officers Pay Scale. Seconded by Selectman McDonald. A vote was taken. All in favor.

Selectman McDonald made a motion to accept the new contract for Chief Rigney. Seconded by Selectman Wallace. A vote was taken. All in favor.

## **11. ADJOURNMENT**

A motion was made by Selectman Bougher to adjourn at 2:08 a.m. Seconded by Selectman Reynolds. A vote was taken. All in favor.

A True Record

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Kelly Bumpus, Recording Secretary